

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10765 OF 2025

Between:

1. Mohammad Yazdani, S/o. Mohammad Rabbani, Age: 34 years, Occ. Business R/o. H.No.2-2-220/7, Ambedkar Nagar, Adilabad District.
2. Shaik Zaheer, S/o. Shaik Jani Miya, Age: 38 years, Occ: Business R/o. H.No. 2-3-1/9, 5/a, Khanapur, Adilabad District.
3. Abrar Ali, S/o. Asif Ali, Age: 38 years, Occ: Business R/o. H.No.1-6-38-1/2, Shanthinagar, Adilabad District.

...Petitioners/Accused NoS.1 to 3

AND

1. The State of Telangana, rep.by Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. Mukkavar Meera, S/o. Vishnukanth, Age: 56 years, Occ: Housewife, R/o. G.S estate, Adilabad, Adilabad District.

...Respondent/Defacto Complainant

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings against the petitioners/accused Nos.1 to 3 in Cr.No.289 of 2025 on the file of Adilabad I-Town Police Station, Adilabad District.

I.A. NO: 2 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings including the arrest of the Petitioners in Cr.No.289 of 2025 on the file of Adilabad I-Town Police Station, Adilabad District, during pending disposal of above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. Soma Ravi Kiran Reddy, Advocate for the Petitioners and the Mr. Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10765 of 2025

ORDER:

This criminal petition is filed seeking to quash the proceedings in Crime No.289 of 2025 on the file of the Station House Officer, Adilabad I-Town Police Station, Adilabad District, registered for the offences under Sections 318 and 351(2) read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') against the petitioners – accused Nos.1 to 3.

2. Heard Mr.Soma Ravi Kiran Reddy, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1-State.

3. Learned counsel for the petitioners submits that the punishment for the offences alleged against the petitioners is imprisonment of less than 7 years, and therefore prayed to direct the police to follow the procedure contemplated under Section 35 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').

4. Learned Additional Public Prosecutor submits to pass appropriate orders in the petition.

5. Perused the record.

6. The offences alleged against the petitioners in the FIR are under Sections 318 and 351 read with 3(5) of BNS. The punishment for

the said offences is imprisonment of less than 7 years. Considering the facts and circumstances of the case and the submissions of the learned counsel for the petitioners, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer concerned on or before 06.09.2025 between 11.00 a.m. and 5.00 p.m., and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of BNSS and the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously and the petitioners are also directed to co-operate with the Investigating Officer and to furnish the requisite information and documents as and when required by him.

7. The Criminal Petition is disposed of with the above directions. Miscellaneous Petitions pending, if any, shall stand closed.

SD/- B. REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Adilabad-I Town Police Station, Adilabad District.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Mr. Soma Ravi Kiran Reddy, Advocate [OPUC]
4. Two CD Copies

Kam/PSL

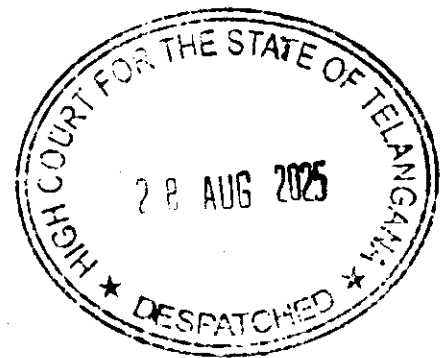
✓

HIGH COURT

DATED:22/08/2025

ORDER

CRLP.No.10765 of 2025



**DISPOSING OF THE
CRIMINAL PETITION**

7
A.P.
28/8/25